

An Act supplementary to "An Act to restore the death penalty for murder in the first degree," approved March thirteen, eighteen hundred and eighty-three.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

Arson of a dwelling house.

SECT. 1. Whoever wilfully and maliciously sets fire to the dwelling-house of another, or to any building adjoining thereto, or to any building owned by himself or another, with intent to burn such dwelling-house, and it is thereby burnt, in the night time, shall be punished by imprisonment at hard labor for life. If he proves, and the jury find, that there was no person lawfully in such dwelling-house at the time, or if the offense was committed in the day time, he shall be punished by imprisonment for life, or any term of years.

Penalty for treason.

SECT. 2. The punishment of the crime of treason shall be imprisonment for life.

Jurisdiction of S. J. court.—exceptions.

SECT. 3. One justice of the supreme judicial court may hold a term thereof in any county, except the counties of Cumberland and Kennebec, for the trial of capital cases, and exceptions may be taken, as in other cases, to their rulings and decisions.

SECT. 4. No person shall be a juror in a capital case, who cannot conscientiously find a man guilty of an offense punishable with death.

SECT. 5. Section four of an act entitled "An Act to restore the death penalty for murder in the first degree," approved March thirteen, in the year of our Lord, one thousand eight hundred and eighty-three, is hereby amended by adding thereto the words, 'but they are continued in force for the trial and punishment of all offenses described therein, committed before this act takes effect.'

Approved March 15, 1883.